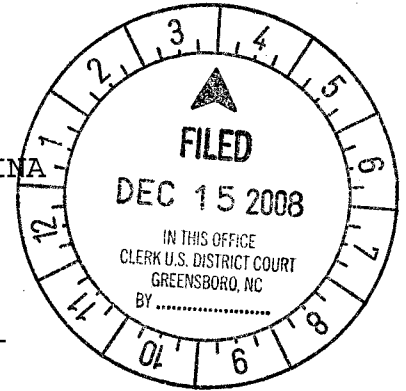


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA

v.

MARCUS WAYNE COVINGTON

1:08CR 495 -1

The Grand Jury charges:

COUNT ONE

On or about October 16, 2008, in the County of Durham, in the Middle District of North Carolina, MARCUS WAYNE COVINGTON willfully, knowingly and intentionally did unlawfully possess with intent to distribute approximately 2 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I, controlled substance within the meaning of Title 21, United States Code, Section 812; in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWO


On or about October 16, 2008, in the County of Durham, in the Middle District of North Carolina, MARCUS WAYNE COVINGTON, in furtherance of a drug trafficking crime for which he could be prosecuted in a court of the United States, that is, possession with intent to distribute heroin, in violation of Title 21, United States Code, Section 841(a)(1), did knowingly possess a firearm, that is, a Kimber .45 caliber pistol, model 45, serial number K002599; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

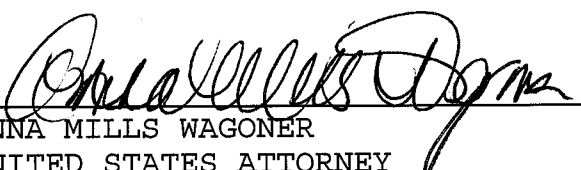
COUNT THREE

On or about October 16, 2008, in the County of Durham, in the Middle District of North Carolina, MARCUS WAYNE COVINGTON, having been convicted on December 13, 2001, in the Superior Court of Orange County, Hillsborough, North Carolina, of a crime punishable by imprisonment for a term exceeding one year, that is, possession of a firearm by a felon, and having been convicted on November 1, 2000, in the Superior Court of Durham County, Durham, North Carolina, of crimes punishable by imprisonment for a term exceeding one year, that is, robbery with a dangerous weapon and common law robbery, did knowingly possess in commerce and affecting commerce a firearm, that is, a Kimber .45 caliber pistol, model 45, serial number K002599; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

A TRUE BILL:

FOREPERSON


MICHAEL A. DeFRANCO
ASSISTANT UNITED STATES ATTORNEY


ANNA MILLS WAGONER
UNITED STATES ATTORNEY